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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,781	09/29/2003	Naoto Kinjo	Q77696	9411

23373 7590 01/12/2007  
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WASHINGTON, DC 20037

EXAMINER
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JERABEK, KELLY L

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/671,781	Applicant(s) KINJO, NAOTO	
	Examiner Kelly L. Jerabek	Art Unit 2622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-7 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Cohen et al. US 2002/0108118.**

Re claim 1, Cohen discloses a photography system comprising: a photography device (10) for taking photographs of photographic objects and acquiring image information (figures 1A-1C; page 1, paragraph 3-6; page 3, paragraph 40); and a portable data processing device (100) formed separately from the photography device (10) for encoding (digitized data stored in DDTS device 100 is converted into an appropriate form for further transmission) and storing the image information acquired by

Art Unit: 2622

he photography device (10), wherein the photography device (10) includes image information transmission means (32) that directly transmits the acquired image information to the data processing device (100) directly (page 3, paragraph 39-page 4, paragraph 45).

Re claim 2, Cohen states that the photography device (10) has identification information (password, user ID) unique to the photography device (10) and the image information transmission means has a function to transmit the identification information (password, user ID) to a plurality of data processing devices (100) (page 6, paragraphs 65-70).

Re claim 3, Cohen states that the data processing device (100) receives the image information from a plurality of photography devices and received image selection means selects the image information to be received according to unique identification information (username, password) allocated to each photography device (10), transmitted from the image information transmission means (page 6, paragraphs 65-70).

Re claim 4, Cohen states that the photography device (10) has identification information (password, user ID) unique to the photography device (10) and the image information transmission means has a function to transmit the identification information (password, user ID) to a plurality of data processing devices (images may be

Art Unit: 2622

transmitted to any data processing device that the photography device is connected to), and the data processing device (100) receives the image information from the plurality of photography devices (10) and further comprises received image selection means that selects the image information according to the unique identification information (password, user ID) allocated to each photography device (10), transmitted from the image information transmission means (page 6, paragraphs 65-70).

Re claims 5-7, Cohen states that the data processing device (100) classifies the encoded image information (places image data into folders) for each piece of the identification information (password, user ID) and stores the classified encoded image information in the storage means (180) (page 6, paragraphs 66-70).

Re claim 9, Cohen states that the image processing means has a function to encrypt the image information and stored the encrypted image information in the storage means (180) (page 4, paragraph 52).

Re claim 10, Cohen states that the data processing device (100) has a data transmission means (122 a, 122b) for transmitting data to an external device (page 4, paragraph 45 and page 5, paragraph 62).

Re claim 110, Cohen states that the photography device (10) may be pre-located in order to capture images of tourists passing through a certain location (page 5, paragraph 58).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. US 2002/0108118 in view of Dutta US 2003/0076408.**

Re claim 8, Cohen discloses all of the limitations of claim 5 above. However, although Cohen discloses a remote image data processing means (100) it fails to specifically state that the image data processing means (100) has correction conditions for correcting the image information for each of a plurality of sets of photography devices.

Dutta discloses a handheld camera that captures images and transmits them to a processing engine. Dutta states that images captured by the handheld camera device

Art Unit: 2622

(204) are transferred to the processing engine (304) and the processing engine (304) processes the images to correct their relative distortions (pages 3-4, paragraph 29).

Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of remotely processing images to correct relative distortions as disclosed by Dutta in the remote image data processing means disclosed by Cohen.

Doing so would provide a means for remotely correcting image signals in order to create a complete and reconstructed image of an object (Dutta; Page 1, paragraph 6).

### ***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on **(571) 272-7304**. The fax phone number for submitting all Official communications is **(703) 872-9306**. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2622

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ



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